

the Louisiana Purchase in 1803, the size of the country nearly doubled and the stage was set for a period of unparalleled development and progress. But first the new acquisition had to be explored. President Jefferson chose Meriwether Lewis and William Clark to, quote, explore the Missouri River and such principal streams of it, as, by its course and communications with the waters of the Pacific Ocean, whether the Columbia, Oregon, Colorado, or any other river may offer the most direct and practicable water communication across this continent for the purposes of commerce.

Lewis and Clark departed St. Louis on May 14, 1804, and returned to St. Louis 28 months later, on September 23, 1806. They crossed 8,000 miles, many States. Along the way they encountered formidable challenges that could easily have thwarted their mission. However, they continued to keep their focus firmly on the ultimate goal.

This Member believes that passage of H.Res. 144 will draw increased attention to the planning and celebration of the upcoming important bicentennial activities in these States. As someone with a long-standing interest in the expedition and a member of the newly formed Lewis and Clark Caucus, this Member is pleased to have this resolution considered on the floor, thanking his colleagues on both sides of the aisle, particularly the gentleman from Oregon who helped me in securing the movement of this legislation, and to the Committee on Resources.

Mr. MILLER of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Speaker, I rise today in support of House Resolution 144. It expresses the support of Congress for the celebrations that will take place all across America during the Lewis and Clark Expedition bicentennial. Celebratory preparations are under way throughout my district in anticipation of the bicentennial, particularly in Astoria and all of Clatsop County. As many people know, the Lewis and Clark Expedition spent the winter of 1805 at Fort Clatsop, Oregon, which is in my district. In 1958, Congress established the Fort Clatsop National Memorial to preserve and protect this unique place in America's history. The present memorial marks the spot where Meriwether Lewis, William Clark and the entire Corps of Discovery spent 106 days during the winter of 1805, difficult days. It is interesting to note that the decision to winter at Fort Clatsop was decided by a majority vote of the Corps of Discovery. That vote included the voices of an African-American and a Native American. Long before America would grapple with the right to vote for minorities, Lewis and Clark were exercising that purist form of democracy, proving once again that we get better decisions when all are at the table.

It has been estimated that more than half a million people will visit Clatsop

County and the Fort Clatsop National Memorial during the two bicentennial summers of 2004 and 2005. I was proud to help secure funding in TEA-21 to help our region plan for the upcoming celebration. In addition, I am working with our county commissioners, with the gentleman from Alaska (Mr. YOUNG) and with the gentleman from California (Mr. MILLER) on my legislation, H.R. 3378, which will allow the last piece of the Lewis and Clark trail known today as Sunset Beach to become part of the memorial itself. It is my hope we will be able to pass this bill before Congress adjourns for the year. The Lewis and Clark bicentennial will be a tremendous opportunity to reflect upon this unique and extraordinary achievement in American history.

I commend the gentleman from Nebraska (Mr. BEREUTER) for taking the time to highlight the upcoming bicentennial celebration with this important resolution, and I urge its passage.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

Mrs. CHENOWETH. Mr. Speaker, I yield myself such time as I may consume. I just want to say that this has been a distinct privilege for me to be able to help manage this bill through the floor. This Member lived on the Clearwater River close to Ahsahka, Idaho, where Lewis and Clark traveled on that waterway right after one of the most difficult periods of time in their trip, when they nearly lost their life going over the Lolo Pass because of a lack of food supply and having to suffer through the elements. Yet, undaunted courage certainly was pulled out of those people in very difficult circumstances.

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In the 14 years that I spent living on that Clearwater River, living next to Ahsahka, where Lewis and Clark finally made their way to this spit of land that came out where the Clearwater joined the North Fork River of the Clearwater River, Lewis and Clark spent the winter there and carved out new canoes and reconstituted their food supply. So it has been a place of honor in my way of thinking; and, certainly, as a western woman, this has indeed been a privilege to be able to carry the bill of the gentleman from Nebraska (Mr. BEREUTER) through. I must say that the bill is constructed, the resolution is constructed and written, in a very clear and concise way and that I know and I pray that in the future it will be interpreted just as the clear meaning of the wording of the resolution simply states.

Mr. POMEROY. Mr. Speaker, I rise in strong support of House Resolution 144 expressing the support of Congress in the celebration of the bicentennial of the historic Lewis and Clark Expedition. Nearly two hundred years ago, Congress played a role in this historic journey by financing a small part of the expedition which was charged with finding an

all water route to the Pacific. Today, Congress can again play a role in one of the most remarkable and productive scientific and military exploring expeditions in all of American history by signaling its support for the bicentennial celebration activities and events.

The Corps of Discovery contributed greatly to our knowledge of the West, not only with respect to geography but also of the natural resources, flora, fauna and animals present. Recognizing the pivotal role the journey played in our nation's history and the inevitable movement westward, the National Lewis and Clark Bicentennial Council is playing a leading role in coordinating and planning a variety of activities and events to commemorate the bicentennial. In addition, many committees and advisory boards have been formed across the country and are diligently working to ensure that the Lewis and Clark expedition is highlighted not only in the states in which the Corps of Discovery transversed, but throughout the nation.

Nearly two hundred years after the Corps of Discovery, Americans of all ages have begun a national pilgrimage to follow the steps of Meriwether Lewis and William Clark. The success of the bicentennial commemorative activities planned all along the route will require the cooperation of all federal agencies, American Indian tribes, public officials and citizens alike. I believe it is important for all Americans to join in the celebration of this important American journey. We, as Members of Congress, must do all we can to support, promote and participate in the commemorative activities of the expedition, and I urge my colleagues to support the resolution.

Mrs. CHENOWETH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentlewoman from Idaho (Mrs. CHENOWETH) that the House suspend the rules and agree to the resolution, H.Res. 144, as amended.

The question was taken.

Mrs. CHENOWETH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.Res. 144, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

ANCSA LAND BANK PROTECTION ACT OF 1998

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2000) to amend the Alaska

Native Claims Settlement Act to make certain clarifications to the land bank protection provisions, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTOMATIC LAND BANK PROTECTION.

(a) LANDS RECEIVED IN EXCHANGE FROM CERTAIN FEDERAL AGENCIES.—The matter preceding clause (i) of section 907(d)(1)(A) of the Alaska National Interest Lands Conservation Act (43 U.S.C. 1636(d)(1)(A)) is amended by inserting "or conveyed to a Native Corporation pursuant to an exchange authorized by section 22(f) of Alaska Native Claims Settlement Act or section 1302(h) of this Act or other applicable law" after "Settlement Trust".

(b) LANDS EXCHANGED AMONG NATIVE CORPORATIONS.—Section 907(d)(2)(B) of such Act (43 U.S.C. 1636(d)(2)(B)) is amended—

(1) by striking "and" at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting "; and"; and

(3) by adding at the end the following:

"(iv) lands or interest in lands shall not be considered developed or leased or sold to a third party as a result of an exchange or conveyance of such land or interest in land between or among Native Corporations and trusts, partnerships, corporations, or joint ventures, whose beneficiaries, partners, shareholders, or joint venturers are Native Corporations."

(c) ACTIONS BY TRUSTEE SERVING PURSUANT TO AGREEMENT OF NATIVE CORPORATIONS.—Section 907(d)(3)(B) of such Act (43 U.S.C. 1636(d)(3)(B)) is amended—

(1) by striking "or" at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting "; or"; and

(3) by adding at the end the following:

"(iii) to actions by any trustee whose right, title, or interest in land or interests in land arises pursuant to an agreement between or among Native Corporations and trusts, partnerships, or joint ventures whose beneficiaries, partners, shareholders, or joint venturers are Native Corporations."

SEC. 2. DEVELOPMENT BY THIRD-PARTY TRESPASSERS.

Section 907(d)(2)(A)(i) of the Alaska National Interest Lands Conservation Act (43 U.S.C. 1636(d)(2)(A)(i)) is amended—

(1) by inserting "Any such modification shall be performed by the Native individual or Native Corporation." after "substantial modification.";

(2) by inserting a period after "developed state" the second place it appears; and

(3) by adding "Any lands previously developed by third-party trespassers shall not be considered to have been developed."

SEC. 3. RETAINED MINERAL ESTATE.

(a) IN GENERAL.—Section 12(c)(4) of the Alaska Native Claims Settlement Act (43 U.S.C. 1611(c)(4)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (E) and (F), respectively, and by inserting after subparagraph (B) the following new subparagraphs:

"(C) Where such public lands are surrounded by or contiguous to subsurface lands obtained by a Regional Corporation under subsections (a) or (b), the Corporation may, upon request, have such public land conveyed to it.

"(D)(i) A Regional Corporation which elects to obtain public lands under subparagraph (C) shall be limited to a total of not more than 12,000 acres. Selection by a Re-

gional Corporation of in lieu surface acres under subparagraph (E) pursuant to an election under subparagraph (C) shall not be made from any lands within a conservation system unit (as that term is defined by section 102(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102(4)).

"(ii) An election to obtain the public lands described in subparagraph (A), (B), or (C) shall include all available parcels within the township in which the public lands are located.

"(iii) For purposes of this subparagraph and subparagraph (C), the term 'Regional Corporation' shall refer only to Doyon, Limited."; and

(2) in subparagraph (E) (as so redesignated), by striking "(A) or (B)" and inserting "(A), (B), or (C)".

(b) FAILURE TO APPEAL NOT PROHIBITIVE.—Section 12(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1611(c)) is amended by adding at the end the following:

"(5) Subparagraphs (A), (B), and (C) of paragraph (4) shall apply, notwithstanding the failure of the Regional Corporation to have appealed the rejection of a selection during the conveyance of the relevant surface estate."

SEC. 4. AMENDMENT TO PUBLIC LAW 102-415.

Section 20 of the Alaska Land Status Technical Corrections Act of 1992 (106 Stat. 2129), is amended by adding at the end the following new subsection:

"(h) Establishment of the account under subsection (b) and conveyance of land under subsection (c), if any, shall be treated as though 3,520 acres of land had been conveyed to Gold Creek under section 14(h)(2) of the Alaska Native Claims Settlement Act for which rights to subsurface estate are hereby provided to CIRI. Within 1 year from the date of the enactment of this subsection, CIRI shall select 3,520 acres of subsurface estate in land from the area designated for selection by paragraph I.B.(2)(b) of the document identified in section 12(b) (referring to the Talkeetna Mountains) of the Act of January 2, 1976 (43 U.S.C. 1611 note). Not more than five selections shall be made under this subsection, each of which shall be reasonably compact and in whole sections, except when separated by unavailable land or when the remaining entitlement is less than a whole section."

SEC. 5. CLARIFICATION ON TREATMENT OF BONDS FROM A NATIVE CORPORATION.

Section 29(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c)) is amended—

(1) in paragraph (3)(A), by inserting "and on bonds received from a Native Corporation" after "from a Native Corporation"; and

(2) in paragraph (3)(B), by inserting "or bonds issued by a Native Corporation which bonds shall be subject to the protection of section 7(h) until voluntarily and expressly sold or pledged by the shareholder subsequent to the date of distribution" before the semicolon.

SEC. 6. CALISTA NATIVE CORPORATION LAND EXCHANGE.

(a) CONGRESSIONAL FINDINGS.—Congress finds and declares that—

(1) the land exchange authorized by section 8126 of Public Law 102-172 should be implemented without further delay;

(2) the Calista Corporation, the Native Regional Corporation organized under the authority of the Alaska Native Claims Settlement Act for the Yupik Eskimos of Southwestern Alaska, which includes the majority of the Yukon Delta National Wildlife Refuge—

(A) has responsibilities provided for by the Alaska Native Claims Settlement Act to

help address social, cultural, economic, health, subsistence, and related issues within the region and among its villages, including the viability of the villages themselves, many of which are remote and isolated; and

(B) has been unable to fully carry out such responsibilities;

(3) the implementation of the exchange referenced in this subsection is essential to helping Calista utilize its assets to carry out those responsibilities and to realize the benefits of the Alaska Native Claims Settlement Act;

(4) the parties to the exchange have been unable to reach agreement on the valuation of the lands and interests in lands to be conveyed to the United States under section 8126 of Public Law 102-172; and

(5) in light of the foregoing, it is appropriate and necessary in this unique situation that Congress authorize and direct the implementation of this exchange as set forth in this section in furtherance of the purposes and underlying goals of the Alaska Native Claims Settlement Act and the Alaska National Interest Lands Conservation Act.

(b) LAND EXCHANGE IMPLEMENTATION.—Section 8126 of Public Law 102-172 (105 Stat. 1206) is amended to read as follows:

"SEC. 8126. (a)(1) In exchange for lands, partial estates, and land selection rights identified in the document entitled 'The Calista Conveyance and Relinquishment Document', dated October 28, 1991, as amended September 22, 1998 (hereinafter referred to as 'CCRD'), the United States will establish a property account for the Calista Corporation, a corporation organized under the laws of the State of Alaska, in the amount identified in the CCRD, and in accordance with the provisions of this Act.

"(2) The CCRD contains the land descriptions of the lands and interests in lands to be conveyed, the selections to be relinquished, the charges to entitlement, the quantity and class of entitlement to be transferred to the United States, the terms of the Kuskokwim Corporation Conservation Easement, and the amount that is authorized for the property account.

"(3) The covenants, terms, and conditions to be used in any transfers to the United States described in the CCRD shall be binding on the United States and the participating Native corporations and shall be a matter of Federal law.

"(b)(1) The aggregate values of such lands and interests in lands, together with compensation for the considerations set forth in congressional findings concerning the Calista Region and its villages, shall be the sum provided in section IX of the CCRD. The amounts credited to the property account described in this subsection shall not be subject to adjustment for minor changes in acreage resulting from preparation or correction of the land descriptions in the CCRD or the exclusion of any small tracts of land as a result of hazardous material surveys. The Secretary of the Interior shall maintain an accounting of the lands and interests in lands remaining to be conveyed or relinquished by Calista Corporation and the participating village corporations pursuant to this section. The Secretary of the Treasury on October 1, 1998, shall establish a property account on behalf of Calista Corporation.

"(2) The account shall be credited and available for use as provided in paragraph (4), according to the following schedule of percentages of the amount in section IX of the CCRD:

"(A) On October 1, 1999, and on October 1 of each year thereafter through October 1, 2005, the amount equal to 12.69 percent.

"(B) On October 1, 2007, the amount equal to 11.17 percent.

"(3)(A) Unless otherwise authorized by law, the aggregate amount of all credits to the

account, pursuant to the schedule set forth in paragraph (2), shall be equal to the amount in section IX of the CCRD.

"(B) All amounts credited to the account shall be from amounts in the Treasury not otherwise appropriated and shall be available for expenditure without further appropriation and without fiscal year limitation.

"(4) The property account may not be used until all conveyances, relinquishments of selections, and adjustments to entitlements described in the CCRD have been made to and accepted by the United States. The Secretary of the Interior shall notify the Secretary of the Treasury when all requirements of the preceding sentence have been met. Immediately thereafter the Secretary of the Treasury shall comply with his duties under this paragraph including the computations of the amount in the account, the amount that may be expended in any particular Federal fiscal year, and the balance of the account after any transaction. The property account may be used in the same manner as any other property account held by any other Alaska Native Corporation.

"(5) Notwithstanding any other provision of law, Calista Corporation on its own behalf or on behalf of the village corporations identified in the CCRD, may assign any or all of the account upon written notification to the Secretary of the Treasury and the Secretary of the Interior.

"(6) The Secretary of the Treasury shall notify the Secretary of the Interior and Calista whenever there is a reduction in the property account, the purpose for such reduction and the remaining balance in the account. The Alaska State Office of the Bureau of Land Management shall be the official repository of such notices.

"(7) For the purpose of the determination of the applicability of section 7(i) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)) to revenues generated pursuant to that section, such revenues shall be calculated in accordance with section IX of the CCRD.

"(8) The United States shall not be liable for the redistribution of benefits by the Calista Corporation to the participating Alaska Native village corporations pursuant to this section.

"(9) These transactions are not based on appraised property values and therefore shall not be used as a precedent for establishing property values.

"(10) Prior to the issuance of any conveyance documents or relinquishments and acceptance, the Secretary of the Interior and the participating Native corporations may, by mutual agreement, modify the legal descriptions included in the CCRD to correct clerical errors.

"(11) Property located in the State of Alaska that is purchased by use of the property account shall be considered and treated as conveyances of land selections under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

"(12) The conveyance of lands, partial estates and land selection rights and relinquishment or adjustments to entitlement made by the Alaska Native Corporations pursuant to this section and the use of the property account in the Treasury shall be treated as the receipt of land or any interest therein or cash in order to equalize the values of properties exchanged pursuant to section 22(f) of the Alaska Native Claims Settlement Act (43 U.S.C. 1621(f)) as provided in the first sentence in section 21(c) of that Act (43 U.S.C. 1620(c)).

"(13) With respect to the content of the CCRD, the Secretary of the Interior, the Calista Regional Corporation, and the participating village corporations agree upon the lands, interests in lands, relinquishments

and adjustments to entitlement described therein that may be offered to the United States pursuant to this section. These parties also agree with the amounts to be made available in the property account once all conveyances and relinquishments are completed, and the parties agree with the needs set forth in the congressional findings in section 6(a) of the ANCSA Land Bank Protection Act of 1998. The parties do not necessarily agree on the hortatory statements, descriptions, and attributions of resource values which are included in the CCRD as drafted by Calista. But such disagreements will not affect the implementation of this section.

"(14) Descriptions of resource values provided for surface lands which are not offered in the exchange and will remain privately owned by village corporations form no part of the consideration for the exchange."

SEC. 7. MINING CLAIMS.

Paragraph (3) of section 22(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1621(c)) is amended—

(1) by striking out "regional corporation" each place it appears and inserting in lieu thereof "Regional Corporation"; and

(2) by adding at the end the following: "The provisions of this section shall apply to Haida Corporation and the Haida Traditional Use Sites, which shall be treated as a Regional Corporation for the purposes of this paragraph, except that any revenues remitted to Haida Corporation under this section shall not be subject to distribution pursuant to section 7(i) of this Act."

SEC. 8. SALE, DISPOSITION, OR OTHER USE OF COMMON VARIETIES OF SAND, GRAVEL, STONE, PUMICE, PEAT, CLAY, OR CINDER RESOURCES.

Subsection (i) of section 7 of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)) is amended—

(1) by striking "Seventy per centum" and inserting "(A) Except as provided by subparagraph (B), seventy percent"; and

(2) by adding at the end the following: "(B) In the case of the sale, disposition, or other use of common varieties of sand, gravel, stone, pumice, peat, clay, or cinder resources made during a fiscal year ending after the date of enactment of this subparagraph, the revenues received by a Regional Corporation shall not be subject to division under subparagraph (A). Nothing in this subparagraph is intended to or shall be construed to alter the ownership of such sand, gravel, stone, pumice, peat, clay, or cinder resources."

SEC. 9. ALASKA NATIVE ALLOTMENT APPLICATIONS.

Section 905(a) of the Alaska National Interest Lands Conservation Act (43 U.S.C. 1634(a)) is amended by adding at the end the following:

"(7) Paragraph (1) of this subsection and subsection (d) shall apply, and paragraph (5) of this subsection shall cease to apply, to an application—

"(A) that is open and pending on the date of enactment of this paragraph,

"(B) if the lands described in the application are in Federal ownership other than as a result of reacquisition by the United States after January 3, 1959, and

"(C) if any protest which is filed by the State of Alaska pursuant to paragraph (5)(B) with respect to the application is withdrawn or dismissed either before, on, or after the date of the enactment of this paragraph.

"(8)(A) Any allotment application which is open and pending and which is legislatively approved by enactment of paragraph (7) shall, when allotted, be made subject to any easement, trail, or right-of-way in existence on the date of the Native allotment applicant's commencement of use and occupancy.

"(B) The jurisdiction of the Secretary is extended to make any factual determinations required to carry out this paragraph."

SEC. 10. VISITOR SERVICES.

Paragraph (1) of section 1307(b) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3197(b)) is amended—

(1) by striking "Native Corporation" and inserting "Native Corporations"; and

(2) by striking "is most directly affected" and inserting "are most directly affected".

SEC. 11. LOCAL HIRE REPORT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall transmit to Congress a report.

(b) LOCAL HIRE.—The report required by subsection (a) shall—

(1) indicate the actions taken in carrying out subsection (b) of section 1308 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3198);

(2) address the recruitment processes that may restrict employees hired under subsection (a) of such section from successfully obtaining positions in the competitive service; and

(3) describe the actions of the Secretary of the Interior in contracting with Alaska Native Corporations to provide services with respect to public lands in Alaska.

(c) COOPERATION.—The Secretary of Agriculture shall cooperate with the Secretary of the Interior in carrying out this section with respect to the Forest Service.

SEC. 12. SHAREHOLDER BENEFITS.

Section 7 of the Alaskan Native Claims Settlement Act (43 U.S.C. 1606) is amended by adding at the end the following:

"(r) BENEFITS FOR SHAREHOLDERS OR IMMEDIATE FAMILIES.—The authority of a Native Corporation to provide benefits to its shareholders who are Natives or descendants of Natives or to its shareholders' immediate family members who are Natives or descendants of Natives to promote the health, education, or welfare of such shareholders or family members is expressly authorized and confirmed. Eligibility for such benefits need not be based on share ownership in the Native Corporation and such benefits may be provided on a basis other than pro rata based on share ownership."

SEC. 13. SHAREHOLDER HOMESITE PROGRAM.

Section 39(b)(1)(B) of the Alaskan Native Claims Settlement Act (43 U.S.C. 1629e(b)(1)(B)) is amended by inserting after "settlor corporation" the following: "or the land is conveyed for a homesite by the Trust to a beneficiary of the Trust who is also a legal resident under Alaska law of the Native village of the settlor corporation and the conveyance does not exceed 1.5 acres".

SEC. 14. SHORT TITLE.

This Act may be cited as the "ANCSA Land Bank Protection Act of 1998".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2000 is legislation I have introduced in consultation with the Alaskan Federation of Natives. Considerable time has been spent to resolve the Calista land exchange issue,

and I want to thank all parties involved for their commitment to resolve this important land exchange for Calista.

This land exchange was authorized to provide Calista with a means of economic self-sufficiency pursuant to the purposes of ANCSA. Under Section 8126 of the Defense appropriations Bill, the Secretary of the Interior and Calista were to determine a mutual agreement value for Calista's land. However, the two parties have been unable to arrive at a mutually agreeable value. Section 6 of this bill will eliminate this impasse by establishing a total value to be credited to Calista's lands and interests, as Congress has had to do in numerous other instances in 1976. In doing so Congress, will simply be providing the figure with Calista and the Secretary of the Interior were unable to determine.

I have two letters of support for section 6, the Calista land exchange, from six conservation organizations. Mr. Speaker, these organizations stated their support for the Calista land exchange when the lands offered by Calista was 28,000 acres of surface lands and 182,000 acres of subsurface lands. Calista has gone further in their commitment to address conservation issues within the region by increasing their surface acres to 56,577 and subsurface to 161,938 acres. The land package includes an overall of 218,515 acres of land, one-third the size of Rhode Island. These five conservation organizations recognize the fish and wildlife habitat of lands offered for exchange by the Calista Corporation. All of these lands, interests in land and subsurface estates in the exchange are located within the Yukon Delta National Wildlife Refuge.

I would like to point out to the gentleman from California (Mr. MILLER), my esteemed colleague, that the white-fronted geese and pacific brant are only a couple of the species which migrate to California from the Yukon Delta National Wildlife Refuge. It appears to me that Mr. MILLER and I have birds of a feather which hold strong ties between our respective States. Let us hope this will carry over to the agreement of this important wildlife refuge land exchange.

Lastly, the language contained in Section 6 of the Calista land exchange was coauthored by the Department of Interior, and the Calista Corporation reached a consensus with this important land exchange in America. At the request of the Department, Calista Corporation provided legal descriptions of lands being exchanged, a conservation easement agreement and added more surface lands. This was accomplished after intense discussion and negotiation of the Department of Interior. The language is also a product of efforts by Calista and the Department of Interior to address issues which were raised by that Department, the Office of Management and Budget, the General Services Administration, the House Committee

on the Budget and the Congressional Budget Office. I urge my colleagues to support this important exchange for the good of the environment on the terms which are very extensive and lengthy negotiations to address all parties concerned. I urge my colleagues again to support the passage of this legislation.

Mr. Speaker, I include the following for the RECORD:

THE CALISTA CONVEYANCE AND
RELINQUISHMENT DOCUMENT (CCRD)

October 28, 1991

[Revised September 22, 1998]

(Revised September 22, 1998 to reflect changes to previously included Calista parcels, additions of the NIMA and The Kuskokwim Corporation (TKC) tracts to the lands being offered, The TKC Conservation Easement, and other relevant edits.)

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CALISTA CONVEYANCE AND RELINQUISHMENT
DOCUMENT (CCRD)

I. PURPOSE

The purpose of this document is to identify the lands, interests in lands, and entitlements to lands owned by Calista Corporation and three Native Village Corporations which are to be exchanged for property held by the U.S. Government or otherwise conveyed to the United States, pursuant to an agreement with the Calista Corporation and the participating Native Village Corporations. The Calista Corporation represents the largest rural Native population in Alaska and includes some of the poorest economic conditions in the States. Yet, under the Alaska Native Claims Settlement Act formula, Calista received less land per capita than any other regional corporation.

The underlying purposes of the Calista land exchange, authorized by Section 8126 of P.L. 102-172, include—

(1) assisting Calista to convert its principal tangible asset, its lands, to property that can be used to help the Corporation remain viable, develop economically, and continue to carry out its responsibilities as envisioned in ANCSA to the people of the Calista Region; and

(2) helping to ensure and enhance the long-term conservation of Native-owned fish and wildlife habitat located within the boundaries of Yukon Delta National Wildlife Refuge.

The Calista land exchange authorizes the exchange of interests in land largely located within the boundaries of the Yukon Delta National Wildlife Refuge owned by Calista Corporation, NIMA Corporation, Nunapiglluraq Corporation, and The Kuskokwim Corporation (Alaska native Village Corporations) for other property owned by the federal government. The Calista exchange has been modeled on other post-ANCSA property settlements.

With respect to the content of the exchange, the Secretary of the Interior, the Calista Regional Corporation and the participating Native village corporations agree upon the lands, interests in lands, relinquishments, and adjustments to entitlement that may be offered to the United States pursuant to this document and enacting legislation consistent with its terms. The parties also agree with the amounts to be made available in the property account once all conveyances and relinquishments are completed and the needs which form the basis for such amounts. The parties do not necessarily agree on the hortatory statements and descriptions which are included in this document, but such disagreements will not affect the implementation of this exchange.

Descriptions of wildlife values are provided herein for some surface lands which are not offered in the exchange and which will remain privately owned by Native village corporations. Such surface lands and any wildlife values or other surface values of these lands form no part of the consideration for the exchange.

II THE ALASKA NATIONAL INTEREST LANDS
CONSERVATION ACT

The Calista land exchange involves interest in land which are largely located within the boundaries of a National conservation system unit established in 1980 by the Alaska National Interest Lands Conservation Act (ANILCA) (P.L. 96-487). Among other things, ANILCA significantly expanded the National Wildlife Refuge System in Alaska.

Among the purpose of ANILCA are these—"to preserve unrivaled scenic and geological values associated with natural landscapes;

to provide for the maintenance of sound populations of, and habitat for, wildlife species of inestimable value to the citizens of Alaska and the Nation, including those species dependent on vast relatively undeveloped areas;

to preserve in their natural state extensive unaltered Arctic tundra, boreal forest, and coastal rainforest ecosystems;

to protect the resources related to subsistence needs. . . ."

Section 103(c) of ANILCA provides that if ". . . a Native Corporation . . . desires to convey any such lands, the Secretary may acquire such lands . . . and any such lands shall become part of the unit, and be administered accordingly."

ANILCA also provides that the purposes "for which the Yukon Delta National Wildlife Refuge is established and shall be managed include—

(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but no limit to, shorebirds, seabirds, whistling swans, emperor, white-fronted and Canada geese, black brant and other migratory birds, salmon, muskox and marine mammals; . . .

(iii) to provide . . . the opportunity for continued subsistence uses by local residents . . ."

consistent with the purposes of ANILCA and the Yukon Delta National Wildlife Refuge, the lands in this exchange package will become part of the Refuge upon completion

of the transactions authorized in the Calista land package.

III. THE CALISTA LAND EXCHANGE

The Calista Corporation is an Alaska Native Regional Corporation organized under authority of the Alaska Native Claims Settlement Act (ANCSA) whose lands are located in Southwestern Alaska. It includes more than 50 Yupik Villages in the Yukon-Kuskokwim Delta.

The Calista land exchange involves a total of approximately 218,515 acres of land or interests in land, including 46,577 acres of surface fee and conservation easements protecting the surface resources and habitat, and approximately 208,515 acres of subsurface estate, all within the YDNWR as well as 10,000 acres of entitlement to surface fee which may be selected adjacent to the YDNWR. The actual acreage in the conveyances is substantially larger than this because the computation of acreage deletes lakes more than 50 acres in size and rivers more than 198 feet in width. Title to these water bodies will also be transferred to the United States if the water bodies are not navigable. The subsurface lands in this lands package are in a very deep sedimentary basin whose geology indicates the potential for hydrocarbon deposits. Thus far, exploration on Calista subsurface lands has been minimal and at relatively shallow depths. If significant hydrocarbon deposits are discovered, however, it would be unlikely that such lands would be available for exchange or acquisition in the future.

IV. FISH AND WILDLIFE HABITAT VALUES

All of the lands, interests in lands and subsurface estates in the exchange located are within the Yukon Delta National Wildlife Refuge in southwestern Alaska. Additionally, Calista Corporation is offering an entitlement to 10,000 acres of land. The Calista Region is a sedimentary basin created over the millennia by the flow of the Yukon and Kuskokwim Rivers.

The region is composed of extensive wetlands, marshes, some highlands and mountains, estuaries, streams and riverine areas. Because of the character of the land, it has been for centuries, and is today, a highly productive and principal nesting area for countless thousands of shorebirds, waterfowl, passerines and other wildlife. (See maps following page 4)

Some of the waterfowl and other birds inhabiting this region are: Spectacled Eider, Gyrfalcon, Tundra Swans, White-fronted Goose, Steller's Eider, Bristle thighed Curlew, Northern Goshawk, Swainson's Thrush, Golden Eagle, Snow Geese, Peregrine Falcon, Gray Cheeked Thrush, King Eider, Black Brant, Great Horned Owl, Blackpoll Warbler, Northern Pintail, Cackling Canada Goose, Emperor Goose, Canvasback, Wilson's Warbler, Arctic Tern, and Harlequin Duck.

Additionally, the Calista region is also home to wolves, brown and black bear, moose, caribou, otter, fox and many other species of wildlife, as well as all major species of salmon, grayling, sheefish, rainbow trout, dolly varden, blackfish, pike and four species of white fish.

According to the U.S.F.W.S. the following are a few of the superlatives describing the Yukon Kuskokwim Delta/Calista Region:

Up to 80% of the world population of Pacific black brant breed or nest on the coastal fringe of the Yukon Kuskokwim Delta Region;

Virtually the entire breeding population of cackling Canada geese nest in the Region;

Approximately 90% of the world's population of emperor geese nest in the Region;

Almost all of the world's population of white-fronted geese nest in the Region;

Sixty percent of the world's breeding bristle-thighed curlew nest in the Region;

100% of the world's black turnstone population inhabit the Region;

Nesting by a majority of world's populations of Western Sandpipers and Pacific dunlins;

Highest diversity of the world's large shorebirds;

Over 800,000 ducklings, or approximately 50% of the statewide total, were produced from the region;

Eight species of raptors breed in this region.

Disclaimer: The information in this section regarding fish and wildlife habitat values of the Yukon Delta National Wildlife Refuge is intended to provide the reader with an overview of the values attendant to the Refuge itself and is not intended to relate those values to subsurface interests offered in this proposal. Also, the fish and wildlife values discussed in connection with subsurface parcels clearly relate and are intended to relate to the overlying surface estate regardless of whether the surface estate is included in this proposal. For detailed information regarding the birds which inhabit or have been identified as using the lands in specific parcels in this lands package, please refer to the document prepared by Calista, entitled "Background Information on Fish and Wildlife Habitat Resources of the Yukon-Kuskokwim Delta Region and the Calista Native Regional Corporation Land Exchange Parcels" as revised 1997, which is based on information gathered over the years from the Yupik Eskimos who inhabit the Region and other sources.

V. CALISTA LAND PACKAGE

The following chart lists the land parcels in the package.

Parcel name and interest to be conveyed	Acreage
Dall Lake: Fee—Surface	12,486
Hamilton: Fee—Surface	7,135
Section 14(h)(8) Entitlement: Fee—Surface & Subsurface	10,000
Hooper Bay: Subsurface	21,190
Scammon Bay: Subsurface	77,512
Kusilvak: Subsurface	63,236
Calista Subsurface on TKC Surface: Subsurface	16,998
Calista Subsurface on NIMA Surface: Subsurface	9,958
TKC: Conservation Easement	16,998
NIMA: Surface	9,958
Calista Subsurface on Hamilton Surface: Subsurface	7,135
Calista Subsurface on Dall Lake Surface: Subsurface	12,486

VI. SUMMARY

Parcel name and interest to be conveyed	Acreage
NIMA Lands: Fee—Surface & Subsurface	9,958
Hamilton Lands: Fee—Surface & Subsurface	7,135
TKC Lands: Conservation Easement & subsurface	16,998
Dall Lake: Fee—Surface & Subsurface	12,486
Calista Section 14(h)(8) Entitlement: Entitlement to Surface Fee & Subsurface	10,000
Total Fee and Conservation Easement+Subsurface	56,577
Hooper Bay: Subsurface	21,190
Scammon Bay: Subsurface	77,512
Kusilvak: Subsurface	63,236
Total Subsurface Only	161,938

VII. CURRENT SOCIAL CONDITIONS

The state of living conditions for most of the Native people of the Calista Region can be difficult for outsiders to comprehend. Many of the basics of life which the rest of America takes for granted—running water, flush toilets, trash collection, paved roads, neighborhood schools, a doctor in the community, an ambulance in time of medical emergency, the fire department, a regular paycheck from a job, a public library—barely exist within the region. The following disturbing statistics reflect both causes and symptoms of the problems endemic to the region. The Calista Region has:

The highest infant mortality rate in the Nation;

A concentration of the population under the age of five, approximately 14.5%, among the highest in the Nation;

Rates of hepatitis, meningitis and tuberculosis that are among the highest in the Nation;

Higher invasive cervical cancer rates than the rest of the population, growing 335% at a time when rates for U.S. whites and blacks decreased over 40%;

High rates of alcoholism, drug abuse and domestic violence;

Extraordinarily high suicide rates: 10% of all young men will commit or attempt suicide by the age of 25;

Unemployment rates of between 60% and 90%;

Inadequate sanitation with limited running water or indoor plumbing facilities;

The second highest rate of multi-generational housing in Alaska, with 16.4% of the households containing three or more generations per household;

The highest rate of household overcrowding in Alaska, with nearly 81% of the houses in the Calista Region containing less than 300 square feet;

The lowest level of education of all Americans, Alaska Natives complete only an average of 9.3 years, compared to 12.5 years for all Americans; and

Teen pregnancy rates of more than twice the national average.

The Calista land exchange is being pursued by the Calista Corporation as a key element in its efforts to remain a viable Native Regional corporation with the capacity to help effectively address these social and health issues. The exchange will help the Calista Corporation work for improvements in basic community infrastructure and facilities in the region. In the Calista Region, there are, at present, few economic resources other than the fish and wildlife upon which to base the economy. In addition, the exchange has the potential to create business opportunities and expand employment for the Region, thereby providing individuals with greater means to help themselves and their communities.

The Calista Region has never experienced economic booms like other areas of the state. The Calista Region and its residents were left out of the Trans-Alaska pipeline construction boom. The Region was too far away to provide services and village residents had neither the skills nor the trade union membership necessary to get the jobs available during construction of the pipeline. As local economies in other areas of the state grew throughout the 1970's and 1980's, the Calista Region's economy, with the exception of construction, actually declined and local residents became even more dependent on state and federal monies for survival.

Government spending is the single most important component of the Regional economy, as is the case in much of rural Alaska. The stability of the Calista Region's economy has been largely dependent upon outside public funding; consequently the economy is very vulnerable to state or federal budgetary and program adjustments. In 1990, it was estimated that state and federal expenditures accounted for approximately 65% of the total wages earned by the residents of the Calista Region.

The growth of government, trade and services sectors has resulted in more white collar/professional jobs in the Region. However, most men living in the villages are trained as blue collar workers and laborers so the Region has a disproportionately high amount of blue collar labor available for the few labor related jobs available. As a result, new white collar jobs are often filled by outsiders coming into the Region with the necessary skills.

VIII. PREHISTORY OF YUKON DELTA REGION

The lands of this Region were probably inhabited from at least 10,000 years ago to about 7,000 years ago by people of the Paleo-Arctic Tradition. From about 7,000 years ago to about 4,000 years ago people of the Northern Archaic Tradition lived in the area. This tradition was followed by the Arctic Small Tool Tradition, 4,000 to 3,000 years ago, and by the Norton Tradition, from 3,000 to 1,000 years ago. The archaeological record documents the lengthy human habitation of the area and more importantly, the cultural roots of the Region's contemporary Yupik inhabitation. The cultural ancestors of present-day Western Region Yupik Eskimos were living in and utilizing the subsistence resources of the Region since about A.D. 1000.

While the Refuge has moderate populations of mammals, including small furbearers, moose, caribou, and recently re-established musk-ox, the primary wildlife resource is the enormous populations of ducks, geese, swans, shorebirds, and water birds that nest on the Delta. An estimated 100 million waterfowl, shorebirds, and sea birds representing over 50 species use the Delta for nesting and for resting and feeding during migration. A large percentage of the migrating birds of the Pacific Flyway originate from the Yukon Delta. (See maps in Appendix C).

The importance of the Delta as nesting grounds for North American waterfowl increases yearly as productive prairie pothole nesting habitats in the United States and Canada are drained for agriculture or are lost to drought.

IX. LAND TRANSACTION ACCOUNTING

The accounting, and, to the extent necessary, the establishment of a property account required by subsection (c) of Section 8126 of P.L. 102-172, upon relinquishment and conveyance by Calista (and where relevant, The Hamilton Corporation, The Kuskokwim Corporation, or NIMA Corporation) of the lands and interest in lands in this document shall be based on and credited with, respectively, a total amount of \$39.4 million for the lands interests in lands and other considerations referenced in this document. For purposes of Section 7(i) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)), "Revenues" are only those realized in excess of \$20 million from the compensation received by Calista under Section 8126 subsection (b)(1) as amended for subsurface estate listed in the Calista Conveyance and Relinquishment Document.

X. DESCRIPTION OF THE LANDS, INTEREST IN LANDS AND ENTITLEMENTS TO LAND TO BE CONVEYED

HAMILTON/YUKON DELTA AREA—7,135 ACRES

Location. The Hamilton parcel is located near the delta complex at the mouth of the Yukon River between Apoon Pass and Nanvaranak Slough. It is approximately 20 miles south of Norton Sound.

General Description. The Hamilton parcel consists of 7135 acres of combined surface and subsurface estate. The lands are part of the wet muskeg coastal plain with slough, lake and pond habitats. Several small sloughs head in the parcel and dozens of small lakes and ponds and their adjacent marshes and wetlands are scattered throughout the parcel. Most of the land is less than 20 feet above sea level and the dwarf tundra vegetation is underlain by sand and silty flood plain material. The southern part of the parcel contains some areas of deciduous shrub land and has more extensive grassy marshlands and riverine habitats. The parcel is five miles south of the Yukon River Delta unit of the historic Clarence Rhode Wildlife Range and the abandoned Village of Hamilton.

Refuge Values of the Surface. The chief habitat and wildlife value of the parcel is waterfowl nesting. The parcel is contiguous to coastal plain habitat to the north and west, and is used by geese, swans, sandhill cranes, ducks, loons, and numerous shorebirds, including curlews, sandpipers, and plovers. Maps of species distribution by density blocks, produced by U.S. Fish and Wildlife, show the area to have medium range densities for pintail ducks, scaup, and tundra swans: one to four birds per square mile, and up to one per square mile densities for Canada geese, Arctic loons, and sandhill cranes. Other nesting birds include white-fronted geese, scoters, shovellers, and mallards. Shorebirds of several species are common to abundant. Whitefish, sheefish (inconnu), and northern pike are common in the sloughs and larger lakes. Furbearers such as mink, otter, muskrat, beaver, Arctic and red fox are abundant, but large mammals are rare due to the lack of protective cover. The land has been assigned a medium priority rank in the Alaska Priority System.

Hamilton Subsurface. The subsurface beneath the Hamilton surface lands is part of the Yukon Delta/Norton Sound Sedimentary Basin. Calista leased the Yukon Delta subsurface lands to Amoco Exploration in 1978. These lands have also had several generations of seismic survey work since the early 1970's and the area continues to receive oil industry attention.

HAMILTON PARCEL (NUNAPIGLLURAQ CORPORATION AND CALISTA CORPORATION LANDS)

Nunapiigluraq Corporation (for the village of Hamilton) will convey to the United States of America the surface estate for the following described lands that it received in Interim Conveyance No. 562, dated October 28, 1982. Calista Corporation will convey to the United States of America the subsurface estate for the following described lands that it received in Interim Conveyance No. 563, dated October 28, 1982. Nunapiigluraq Corporation entitlement to lands under Section 12 (a) and Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description.

Hamilton Parcel Land Description

Seward Meridian, Alaska, (Unsurveyed)

T. 31 N., R. 77 W.

Secs. 29 and 30.

Containing approximately 735 acres.

T. 31 N., R. 78 W.

Secs. 1 and 2;

Secs. 11 through 14;

Secs. 23, 24, and 25.

Containing approximately 5,440 acres.

T. 32 N., R. 78 W.

Sec. 35, S½.

Sec. 36.

Containing approximately 960 acres.

Aggregating approximately 7,135 acres.

DALL LAKE AREA—12,486 ACRES

Location. The Dall Lake parcel is located along the southeastern border of Dall Lake southeast of Bethel, Alaska, about 30 miles from the Bering Sea waters of Etolin Strait. It borders the eastern boundary of the Nelson Island unit of the Clarence Rhode National Wildlife Range.

General Description. The Dall Lake parcel is a surface and subsurface selection of approximately 12,486 acres. This parcel consists of low elevation wetlands dotted with innumerable lakes and ponds along the southeastern border of Dall Lake, an extremely large inland lake covering more than 150 square miles. Wet muskeg tundra vegetation and lake margins characterize the habitat at Dall Lake.

Refuge Values of the Surface. The Dall Lake parcel lies within the Yukon-

Kuskokwim lowlands unit of the Yukon Delta NWR. This unit is largely wetlands, habitat for a diversity of fish and wildlife including geese, ducks, swans, shorebirds, moose, caribou, many species of fur bearers, ptarmigan, and many other bird and mammal species.

The area is an important producer of ducks and is significant as a staging area for thousands of snow geese migrating to and from their nesting grounds on Wrangell Island in the Soviet Far East. US Fish & Wildlife Service has indicated high scaup nesting densities of four to 12 birds per square mile, and pintail and scoter densities of one to four per square mile in the area. Also occurring at densities of one to four birds per square mile are tundra swans, Canada geese, Arctic loons, and sandhill cranes. Other species noted in aerial surveys within the parcel area were red-throated loons, white-fronted geese, old squaw ducks, and mallards. Both shorebirds and ptarmigan are common in the area.

Approximately 30 musk oxen use the Dall Lake area year around. These musk oxen are part of the growing 100-head mainland herd established on Nelson Island which is currently expanding its range to inland parts of the refuge. Fur bearers such as mink, otter, muskrat, and red fox are common in the Dall Lake area and are important subsistence resources. The lakes and waterways contain resident Arctic char, whitefish, northern pike, cisco, and burbot, all used by villagers for subsistence. The land has been assigned a high priority in the Alaska Priority System.

Subsurface Values. The subsurface beneath the Dall Lake surface lands is in the central portion of the Bethel/Kuskokwim Delta Sedimentary Basin. Calista leased the Bethel Basin lands to Shell Exploration in 1974. Like the Yukon Delta area, these lands have had several generations of seismic survey work since the early 1970's and the area continues to receive oil industry attention. In 1962 a single test well was placed on the flank of what is now defined as the Bethel Basin. In the future it is likely that this sedimentary basin, which is nearly the size of Oklahoma, will receive more exploration.

DALL LAKE PARCEL (NIMA CORPORATION AND CALISTA CORPORATION LANDS)

The legal description below describes lands validly selected by NIMA Corporation (for the village of Mekoryuk) under Section 12(a) of ANCSA. NIMA Corporation will file an irrevocable prioritization with the Bureau of Land Management for all the lands described below. NIMA Corporation will relinquish any and all selections pursuant to Section 12(a) and 12(b) of ANCSA for the below described lands. NIMA Corporation entitlement to lands under Section 12(a) of ANCSA will be reduced by the acreage specified in the below described legal description. Upon filing of the irrevocable prioritization and relinquishment by NIMA Corporation, rights to the subsurface estate in the lands described below, which would accrue to Calista Corporation pursuant to Section 14(f) of ANCSA, are extinguished and Calista Corporation will not be entitled to substitute lands elsewhere by virtue of the extinguishment. Additionally Calista Corporation shall file a relinquishment to the in-lieu selections under Serial Number AA-8099-1 top filed on any lands described below that are identified for sale to the United States of America. Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description.

Dall Lake Parcel Land Description

Steward Meridian, Alaska Unserved

T. 1 N., R. 82 W.

Secs. 23 through 36.

Containing approximately 7,716 acres.

T. 1 N., R. 83 W.

Sec. 25;

Secs. 26 and 27, excluding U.S. Survey 10449;

Sec. 28;

Secs. 33 through 36.

Containing approximately 4,770 acres.

Aggregating approximately 12,486 acres.

NIMA AREA—9,958 ACRES

Location. The NIMA parcel adjoins the Dall Lake parcel on its northern border. It is located near the southeastern shore of Dall Lake, southeast of Bethel, Alaska, about 30 miles from the Bering Sea waters of Etolin Strait.

General Description. The NIMA parcel is a surface and subsurface conveyance of approximately 9,958 acres. This parcel consists of low elevation wetlands and lakes and ponds near the southeastern shore of Dall Lake, an extremely large inland lake covering more than 150 square miles. Wet muskeg tundra vegetation and lake margins characterize the habitat at Dall Lake.

Refuge Values of the Surface. The NIMA parcel has the same habitat and subsurface attributes as the Dall Lake parcel, with which it is contiguous. Therefore, the Refuge and Subsurface values are the same as for the adjoining Dall Lake parcel.

NIMA PRACEL (NIMA CORPORATION AND CALISTA CORPORATION LANDS)

NIMA Corporation (for the village of Mekoryuk) will convey to the United States of America the surface estate for the following described lands it received in Interim Conveyance No. 453, dated November 20, 1981. Calista Corporation will convey the subsurface estate to the United States of America for the following described lands that it received in Interim Conveyance No. 454, dated November 20, 1981. Additionally Calista Corporation shall file a relinquishment to the in-lieu selections under Serial Number AA-8099-1 top filed on any lands described below that are identified for sale to the United States of America. NIMA Corporation entitlement to lands under Section 12(a) and Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description.

NIMA Parcel Land Description

Seward Meridian, Alaska, (Unsurveyed)

T. 1 N., R., 82 W.

Secs. 1 through 22.

Containing approximately 9,958 acres.

Aggregating approximately 9,958 acres.

HOOPER BAY AREA—21,190 ACRES

Location. The Hooper Bay parcel is located on Dall Point; Kokechik Bay is on the north, Hooper Bay on the south, and the Bering Sea to the west. It is adjacent to the Clarence Rhode National Wildlife Range unit of the Yukon Delta National Wildlife Refuge on its eastern border.

General Description. The Hooper Bay parcel consists of subsurface estate. The surface is owned by Sea Lion Corporation and is not offered as a part of this proposal. The surface estate is coastal plain with innumerable small ponds and lakes and several small sloughs. Most of the parcel is below 50 feet in elevation. Long shore sand spits form northern and southern extensions of the land, and dunes form Dall Point itself. The village of Hooper Bay is located at the mouth of Napareayak Slough on Hooper Bay.

Habitat Values of the Surface. Village corporation lands overlying the offered subsurface estate include Kokechik Bay frontage with some of the highest value habitat rankings on the Yukon Wildlife Delta Refuge. Although acquisition of the subsurface estate will prevent development of sub-

surface resources and any related disruption of the surface, the village corporation may develop the surface estate. These lands are biologically productive, tide-influenced marshlands critical to the Arctic nesting geese species. High densities of nesting emperor, white fronted, and cackling Canada geese utilize this rich marshland, and it is also important for nesting swans, cranes, ducks, loons and abundant numbers of several species of shorebirds. Northern pintails in the coastal zone occur at three times the density that they occur in the interior delta, averaging four to 12 per square mile in F&WS aerial surveys. Scaup also occur at these densities and other ducks such as old squaw, spectacled and common eider, scoters, shovellers, and mallards also utilize the habitat. The mudflats and sand spits in both bays are vital feeding and staging areas for vast numbers of migrating waterfowl and shorebirds.

Subsurface Values. These lands have been subject to oil and gas leases twice in the recent past. The geology is permissive of several mineral deposit types; however, there are no known occurrences of minerals in this poorly explored Region.

HOOPER BAY PARCEL (CALISTA CORPORATION LANDS)

Calista Corporation will convey the subsurface estate to the United States of America for the following described lands that it received in Interim Conveyances Nos. 511, dated May 28, 1982, and 579, dated December 22, 1982. The surface estate of these lands is being retained by Sea Lion Corporation (for the village of Hooper Bay). Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description. The surface acreage charged against Sea Lion Corporation 12(a) entitlement will not be affected.

Hooper Bay Parcel Land Description

Seward Meridian, Alaska (Unsurveyed)

T. 17 N., R. 93 W.

Secs. 1 through 4;

Secs. 5 and 8;

Secs. 9 through 12;

Sec. 13 excluding F-14703 Parcel C;

Secs. 14 through 18;

Secs. 20 through 23;

Sec. 24, excluding F-14703 Parcel C.

Containing approximately 12,155 acres.

T. 18 N., R. 93 W.

Secs. 4 and 9;

Secs. 11 through 16;

Secs. 21 and 22;

Secs. 23 through 28;

Secs. 33 through 36.

Containing approximately 9,035 acres.

Aggregating approximately 21,190 acres.

SCAMMON BAY AREA—77,512 ACRES

Location. The Scammon Bay parcel is located on the Bering Sea coast at Scammon Bay on the Yukon-Kuskokwim Delta.

General Description. The Scammon Bay parcel is a large tract (25 miles long by up to 12 miles across) of subsurface estate, whose surface estate is privately owned by Askiniuk Corporation, the Native corporation of Scammon Bay village, is not involved in this conveyance. The parcel includes 77,512 acres of conveyed subsurface estate and remaining subsurface entitlements at Scammon Bay. The parcel includes about 20 miles of Bering Sea coastline.

The surface overlying this subsurface parcel consists of several distinct habitats. There is a prominent, rocky, mountainous upland to the south which is used by upland ground-nesting birds such as ptarmigan, rock sandpipers, golden and semi-palmated plovers, short-eared owls, and jaegers. Steep rocky bluffs, fast, clear streams, and small

sheltered bays characterize the parcel's 14 miles of Bering Sea shoreline on the southern shore of the bay. The mountains rise to an elevation of 1,465 feet within the parcel. The intrusive volcanic rock that forms the mountains is useful as quarry material and is currently being extracted for an airport improvement project at the village of Scammon Bay. The southern border of the parcel is adjacent to the Kokechik Bay/Paimuit unit of the Clarence Rhode Unit of the YDNWR which has some of the most significant habitat values on the Yukon-Kuskokwim Delta National Wildlife Refuge due to its intensive use by Arctic nesting geese species.

To the north, the overlying habitat is a flat coastal plain utilized by Arctic nesting geese such as the endangered white-fronted geese, emperor geese and cackling Canada geese. The coastal plain is dissected by the large, shallow meanders of the Kun River and several smaller tributaries including the Kikneak and Ear Rivers. Habitat includes tidal sloughs and estuaries, beach ridges and swales, lake and pond shores, and sedge meadows important to nesting and brood-rearing.

Habitat Values of the Surface. The offered Scammon Bay surface parcel underlies Native land in the delta coastal plain unit of the Yukon Delta NWR. Although acquisition of the subsurface estate will prevent development of subsurface resources and any related disruption of the surface, the village corporation may develop the surface estate. The dominant feature of this unit is vast wetlands characterized by thousands of thaw lakes and ponds underlain by permafrost. The freeze-thaw cycle coupled with regular tidal and riverine flooding maintain a herbaceous wetland that is excellent waterfowl habitat. It is considered the best goose-brant nesting area in North America. Historically, one half of the continental populations of brant nested on the coastal fringe, as do nearly the entire populations of cackling Canada and emperor geese. Most of the Pacific flyway population of white-fronted geese also nest here. In addition to cackling Canada geese, two other subspecies of Canada geese—both Taverner's and lesser Canada geese—are also found within this unit. The three subspecies appear to favor slightly different zones with cacklers nesting in a ten mile wide band closest to the sea, Taverner's moving inland slightly, and lesser Canada's somewhat more inland.

These zones, however, do overlap. The area is also considered part of the largest and most important shorebird habitat in the Pacific Flyway. It is the largest single expanse of intertidal habitat in North or South America, and provides the major breeding grounds for North American populations of black turnstone, dunlin, western sandpiper, rock sandpiper, and bar-tailed godwit, as well as being an important staging area for bristle-thighed curlews.

The periodic flooding of the tidal marshes of the coastal plain creates a rich food source for nesting and rearing young and contributes to goose, swan, and crane densities of one to 12 per square mile with heaviest nesting densities along the coast (US Fish & Wildlife aerial surveys). Pintail and scaup (four to 12 per square mile), scoter (one to four per square mile), old squaw, spectacled eiders, loons (up to 12 per square mile), and shorebirds also nest on the coastal plain. Mink, otter, muskrat, beaver, and Arctic and red fox are common to abundant.

Subsurface Values. These lands have been subject to oil and gas leases twice in the recent past. The geology is permissive of several mineral deposit types; however, little is known of the occurrence of minerals in this poorly explored Region. The known current

value of the subsurface estate in the Scammon Bay area is based to a large extent on the ready supply of sand, gravel and rock. This area is the only local source for these materials in a Region where such materials are scarce and costly.

SCAMMON BAY PARCEL (CALISTA CORPORATION LANDS)

Calista Corporation will convey the subsurface estate to the United States of America for the following described lands that it received in Interim Conveyances Nos. 573, dated November 19, 1982, and 959, dated September 28, 1984. The surface estate of these lands is being retained by Askinuk Corporation (for the village of Scammon Bay). Calista Corporation rights to lands under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description. The surface acreage charged against Askinuk Corporation 12(a) entitlements will not be affected.

Scammon Bay Parcel Land Description

Seward Meridian, Alaska (Unsurveyed)

T. 20 N., R. 88 W.
Secs. 5 through 8;
Sec. 18, excluding F-19228 Parcel A and F-19234;
Sec. 19, excluding F-19234;
Sec. 20;
Secs. 26 and 27;
Sec. 28, excluding F-15947;
Sec. 29, excluding F-15947;
Sec. 30;
Sec. 35.

Containing approximately 6,685 acres.

T. 21 N., R. 88 W.
Secs. 9 through 16;
Secs. 21 through 31;
Sec. 32, excluding F-19043 Parcel B;
Sec. 33, excluding F-19229 Parcel A;
Secs. 34, 35, and 36.

Containing approximately 14,757 acres.

T. 20 N., R. 89 W.
Secs. 1 and 2;
Sec. 3, excluding F-18977 Parcel B;
Sec. 4, excluding F-18977 Parcel B and F-19229 Parcel A;
Secs. 5 and 6;
Secs. 7 and 8, excluding F-19233;
Sec. 9;
Sec. 10, excluding F-19045;
Secs. 11 and 12;
Sec. 13, excluding F-19234;
Sec. 14, excluding F-19043 Parcel A and F-19241;
Sec. 15, excluding F-19043 Parcel A, F-19045, and F-19241;
Sec. 16;
Secs. 17 and 18, excluding F-19233;
Secs. 19, 20, and 21;
Secs. 22 and 23, excluding F-19241;
Sec. 24, excluding F-19234;
Secs. 25 through 28;
Sec. 29, excluding F-19231 Parcel B;
Secs. 30, 31, and 32.

Containing approximately 17,259 acres.

T. 21 N., R. 89 W.
Secs. 5 through 10;
Secs. 15 through 23;
Secs. 25 through 30;
Secs. 32 through 36.

Containing approximately 14,616 acres.

T. 20 N., R. 90 W.
Secs. 1 through 4;
Secs. 11 through 30;
Sec. 31, excluding F-14759 Parcel C;
Secs. 32 through 36.

Containing approximately 18,232 acres.

T. 20 N., R. 91 W.
Sec. 11, excluding F-19041 and F-19223 Parcel B;
Secs. 12 and 13;
Sec. 14, excluding F-19041 and F-19223 Parcel B;
Sec. 15, excluding F-19223 Parcel B;

Sec. 16, excluding F-19039 Parcel B;
Secs. 17 through 20;
Sec. 21, excluding F-15023 Parcel A and F-19224;
Sec. 22, excluding F-19224.
Containing approximately 4,573 acres.
T. 20 N., R. 92 W.
Sec. 13, excluding F-19033 Parcel A, F-19044 Parcel B;
Sec. 14, excluding F-19039 Parcel A, F-19056 Parcel A, and F-19221 Parcel B;
Secs. 23 and 24.

Containing approximately 1,390 acres.
Aggregating approximately 77,512 acres.

Any and all remaining rights that would accrue to Calista Corporation pursuant to Section 14(f) of ANCSA beneath land conveyed to Askinuk Corporation pursuant to Section 12(a) of ANCSA are hereby extinguished and no substitute subsurface will be conveyed to Calista Corporation. Any rights pursuant to Section 12(a)(1) of ANCSA accruing to Calista Corporation by virtue of any conveyance to Askinuk Corporation within the boundaries of the Clarence Rhode Unit of the Yukon Delta National Wildlife Refuge are unaffected.

KUSILVAK AREA—62,236 ACRES

Location. The Kusilvak parcel is located on the Black River several miles west of the Kusilvak Mountains and approximately twenty miles from the Bering Sea.

General Description. This parcel is a subsurface estate and subsurface entitlement of 63,236 acres. It includes 41,688 acres of conveyed subsurface estate and 21,548 acres of remaining subsurface entitlements. The surface estate is owned by Sea Lion Corporation and is not part of the lands to be conveyed. The Black River, a major waterway, runs for about 15 miles through the parcel. The parcel is characterized by coastal lowlands and river flood plains with many large lakes and innumerable small lakes and ponds. The Black River has formed numerous sloughs, oxbows, and cutoff channels.

Habitat Values of the Surface. The offered Kusilvak subsurface parcel underlies Native lands whose chief habitat and wildlife value is waterfowl nesting. Although acquisition of the subsurface estate will prevent development of subsurface resources and any related disruption of the surface, the village corporation may develop the surface estate. The Native lands are used by Canada geese, swans, loons, cranes, and many species of ducks, as well as shorebirds. Population densities of northern pintails and tundra swans have been mapped at 4 to 12 per square mile based on USF&W aerial surveys. Canada geese, scaup, scoter, cranes, and loons are common. Whitefish, sheefish (inconnu), and northern pike are important resources of the Black River and are heavily used for subsistence by nearby villages. Fur bearers such as mink, otter, Arctic and red fox are abundant in the parcel. There is moderate potential for summer and winter range for the expanding mainland musk-ox herd, which is occasionally seen in the southern part of the parcel.

Subsurface Values. These lands have been subject to oil and gas leases twice in the recent past. The geology is permissive of several mineral deposit types however there is little known about mineralization in this poorly explored Region. The current known value of the subsurface in the Kusilvak area is based to a large extent on the ready supply of sand, gravel and rock.

KUSILVAK PARCEL (CALISTA CORPORATION LANDS)

Calista Corporation will convey the subsurface estate to the United States of America for the following described lands that it received in Interim Conveyance No. 511, dated May 28, 1982. The surface estate of these lands is being retained by Sea Lion

Corporation (for the village of Hooper Bay). Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description. The surface acreage charged against Sea Lion Corporation 12(a) entitlement will not be affected.

Kusilvak Parcel Land Description

Seward Meridian, Alaska (Unsurveyed)

T. 21 N., R. 84 W.
Sec. 6.
Containing approximately 525 acres.
T. 22 N., R. 84 W.
Sec. 31.

Containing approximately 508 acres.
T. 21 N., R. 85 W.
Secs. 2 through 7.

Sec. 18.
Containing approximately 4,231 acres.
Secs. 3 through 10;
Secs. 15 through 22;
Secs. 27 through 36.

Containing approximately 14,577 acres.

T. 23 N., R. 85 W.
Secs. 30, 31, and 32.

Containing approximately 1,623 acres.
T. 21 N., R. 86 W.

Sec. 4;
Sec. 5, excluding F-19237;
Sec. 6, excluding F-19238 Parcel A;
Secs. 13 and 14.

Containing approximately 2,185 acres.

T. 22 N., R. 86 W.
Secs. 19 through 25;
Secs. 28 through 31;
Sec. 32 excluding F-19237;
Secs. 33 and 36.

Containing approximately 7,574 acres.

T. 13 N., R. 86 W.
Secs. 11 through 15;
Secs. 21 through 26;
Sec. 27, excluding F-18428 Parcel A;
Sec. 28, excluding F-18428 Parcel A;
Sec. 29;

Secs. 32 through 36.

Containing approximately 10,465 acres.

Aggregating approximately 41,688 acres.

The following described lands include approximately 73,524 acres which have been validly selected by Sea Lion Corporation (for the village of Hooper Bay) under Section 12(a) of ANCSA. Sea Lion Corporation has a remaining Section 12(a) entitlement of approximately 32,289 acres. Using a portion of its remaining Section 12(a) entitlement, Sea Lion Corporation will file an irrevocable prioritization with the Bureau of Land Management for approximately 21,548 acres consistent with ANCSA selection limitations at 43 C.F.R. 2651.4 from the lands described below. Upon filing of the irrevocable prioritization, rights to the subsurface estate which would accrue to Calista Corporation pursuant to Section 14(f) of the ANCSA are extinguished and no conveyance of the subsurface estate will occur. Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the 21,548 acres specified above. At such time as the prioritized surface is patented to Sea Lion Corporation, the surveyed acreage will be charged against Sea Lion Corporation section 12(a) ANCSA entitlement.

Seward Meridian, Alaska (Unsurveyed)

T. 21 N., R. 83 W.
Sec. 3;
Secs. 6 through 10;
Secs. 15 through 18.
Containing approximately 5,616 acres.
T. 22 N., R. 83 W.
Secs. 6 and 7.

Containing approximately 1,240 acres.
T. 21 N., R. 84 W.

Sec. 1;
Sec. 2, excluding F-18345 Parcel B;
Sec. 3, excluding F-16760 Parcel B and F-18345 Parcel A;

Sec. 4, excluding F-16760 parcel B;
Sec. 5;
Secs. 7, 8, and 9;
Sec. 10, excluding F-18394 parcel C and F-18345 parcel A;
Secs. 11 through 15;
Sec. 24.

Containing approximately 8,142 acres.
T. 22 N., R. 84 W.

Secs. 1 and 2;
Secs. 11 and 12;
Sec. 14;
Sec. 19;
Sec. 23;
Sec. 26, excluding F-18566 Parcel B;
Secs. 27 through 30;
Sec. 32;
Secs. 33 and 34, excluding F-16760 Parcel B;
Sec. 35;
Sec. 36, excluding F-16922 Parcel B.

Containing approximately 9,681 acres.
T. 20 N., R. 85 W.

Secs. 5 through 9;
Secs. 16 and 17;
Secs. 20 and 21.

Containing approximately 4,873 acres.
T. 21 N., R. 85 W.

Sec. 1;
Secs. 8 through 12;
Sec. 16;
Sec. 17, excluding F-18394 Parcel B;
Secs. 20 and 21;
Secs. 27, 28, and 29;
Secs. 33, 34, and 35.

Containing approximately 9,035 acres.
T. 22 N., R. 85 W.

Containing approximately 1,715 acres.
T. 20 N., R. 86 W.

Sec. 1, excluding F-16922 Parcel A;
Sec. 2;
Sec. 12.

Containing approximately 1,845 acres.
T. 21 N., R. 86 W.

Secs. 1, 2, and 3;
Secs. 7 through 12;
Secs. 15 through 23;
Secs. 26, 27, and 28;
Sec. 29, excluding F-18798 Parcel A;
Secs. 30 and 31;
Sec. 32, excluding F-18976 Parcel B;
Secs. 33, 34, and 35.

Containing approximately 14,172 acres.
T. 20 N., R. 87 W.

Secs. 2 through 11;
Secs. 14, 15, and 16;
Secs. 17 and 18, excluding F-14705 Parcel B;
Secs. 19 through 23;
Sec. 25;

Sec. 26, excluding F-19226;
Sec. 27, excluding F-19226 and F-19227;
Sec. 28, excluding F-19227;
Secs. 29 through 32;
Sec. 33, excluding F-19227;

Sec. 34, excluding F-19226 and F-19227;
Sec. 35, excluding F-19226;
Sec. 36.

Containing approximately 17,205 acres.
Aggregating approximately 73,524 acres.

KUSKOKWIM AREA—16,998 ACRES

Location. This tract is located west and southwest of Whitefish Lake, which is west of Aniak, Alaska.

General Description. This tract consists of open tundra with abundant lakes and ponds. The tract includes a conservation easement on the surface estate, which is owned by the Kuskokwim Corporation, a village corporation, and Calista Corporation's subsurface estate in the corresponding acreage.

Refuge Values of the Surface. The Whitefish Lake area is generally upland tundra with some associated wetland habitat. This is a staging area for waterfowl in the spring and fall. Unlike much of the delta, black spruce stands grow on this parcel, which harbors passerines, raptors, owls, and eagles.

The area provides habitat for populations of moose and brown and black bear. The Mulchatna caribou herd winters near Whitefish Lake. White-fronted and Canada geese visit the area, as well as several species of puddle and diving ducks, including canvas-back, scoter, and scaup. Fur-bearers including mink, fox, and wolves utilize the area. The land has been assigned a medium to low priority rank in the U.S.F.W.S. Refuge Priority System.

Subsurface Values. Whitefish Lake is at the eastern end of the Bethel Basin, which is prospective for hydrocarbons. There are reports of gas seeps at Whitefish Lake. The area lies just west of the mouth of the gold placer bearing Ophir Creek, where active mining claims exist.

KUSKOKWIM TRACT

(THE KUSKOKWIM CORPORATION AND CALISTA CORPORATION LANDS)

The Kuskokwim Corporation (successor in interest to Lower Kalskag, Incorporated) will convey a conservation easement to the United States of America (Appendix A hereto) on the surface estate of the following described lands that it received in Interim Conveyance No. 745, dated September 30, 1983. Calista Corporation will convey to the United States of America the subsurface estate to the following described lands that it received in Interim Conveyance No. 746, dated September 30, 1983. The Kuskokwim Corporation entitlement to lands under Section 12(a) and Calista Corporation rights under Section 14(f) of ANCSA will be reduced by the acreage specified in the below described legal description.

Kuskokwim Parcel Land Description

Seward Meridian, Alaska (Unsurveyed)

T. 14 N., R. 60 W.
Sec. 7;
Secs. 8 and 9, excluding USS 10010;
Secs. 16 through 21.

Containing approximately 5,130 acres.

Seward Meridian, Alaska (Surveyed)

T. 14 N., R. 61 W.
Secs. 1 and 2;
Sec. 11, excluding Lots 1 and 2 of USS 10063;
Sec. 12, excluding Lot 2 of USS 10063;
Sec. 13;
Sec. 14, excluding Lot 3 of USS 10063;
Sec. 23, excluding Lot 4 of USS 10063;
Sec. 24.

Containing approximately 4,473 acres.

T. 15 N., R. 61 W.
Secs. 1 and 2, excluding USS 10002;
Sec. 3;
Secs. 11 and 12, excluding USS 10002;
Sec. 13, excluding Lot 2 of USS 10013;
Sec. 14;
Sec. 23;
Sec. 24, excluding Lot 2 of USS 10013;
Secs. 25 and 26;
Secs. 35 and 36.

Containing approximately 5,625.01 acres.

T. 16 N., R. 61 W.
Secs. 33, 34, and 35.

Containing approximately 1,770 acres.

Aggregating approximately 16,998.01 acres.

SECTION 14(h)(8) ENTITLEMENT—10,000 ACRES

This entitlement is to surface and subsurface estate and can be selected from Federal lands within the Calista Region. Calista Corporation is currently under-selected under subsection 14(h)(8). It is Calista's position that because this entitlement predates expansion of the Yukon Delta National Wildlife Refuge by ANILCA, Calista retains the right to select in those portions of the Refuge which were not withdrawn prior to ANILCA. The U.S.F.W.S. disagrees and asserts that Section 304 of ANILCA bars the exercise of selection rights within the refuge. Even if the U.S.F.W.S. position is correct,

the entitlement could be used to select lands adjacent to the Refuge.

The 14(h)(8) entitlement will be used to select Federal lands which contain prospective oil and gas horizons, potential mineral deposits, or surface estate development potential, such as real estate projects, hydroelectric power, and commercial uses such as fish processing.

Calista is currently leasing several 14(h)(8) tracts to various mineral exploration companies. Federal acceptance of this entitlement will help limit potential adverse impacts on the Refuge.

CALISTA CORPORATION 14(h)(8) ENTITLEMENT

Calista Corporation agrees to the extinguishment of 10,000 acres of its Section 14(h)(8) entitlement under ANCSA.

Recognizing that the various parcels being conveyed by Nunapiglluraq, NIMA, Kuskokwim, and Calista Corporation, which are described above, have not been surveyed, the Corporations affected shall neither receive any gain nor bear any loss, as a result of any future survey of these lands.

In those instances in which Calista Corporation is conveying the subsurface estate under retained or selected village Corporations surface lands, Calista Corporation agrees that it shall neither receive any gain nor bear any loss, as a result of any future survey of the surface of these lands.

Pursuant to Section 901 of ANILCA, 43 U.S.C. 1631 as amended, the submerged beds of meanderable lakes, rivers, or streams have been estimated using Bureau of Land Management Master Title Plats and will not be charged against the acreage entitlement of ANCSA corporations participating in this legislation. Upon acquisition of uplands which abut or surround non-navigable lakes, rivers, or streams, title to the lands under said water bodies attributable to the uplands conveyed to the United States shall vest in the United States.

The term in-lieu refers to the right of the Regional Corporation established under Section 123(a)(1) to select the subsurface estate in an equal acreage from outside the boundaries of refuges established prior to ANCSA.

Any lands hereafter conveyed by the United States to any person pursuant to the Alaska Native Allotment Act or Section 905 of ANILCA or any amendment or supplement to either such statute from the lands conveyed or relinquished to the United States pursuant to this contract shall not cause any adjustment in the acreage charged to the entitlement of any of the corporations participating in this contract nor shall any additional entitlement accrue to any of the foregoing corporations by virtue of any such conveyance by the United States.

THE CONSERVATION FUND.

Shepherdstown, WV, September 22, 1995.

Hon. TED STEVENS,
U.S. Senate, Washington, DC.

DEAR SENATOR STEVENS: As I understand it, you are considering legislative steps to implement the land exchange authorized in P.L. 102-172 for the benefit of the Calista Corporation and of the Yukon Delta National Wildlife Refuge. I am writing to you to voice my support for efforts in Congress to complete this exchange, which I believe would be of substantial benefit to the conservation of wildlife refuge resources in the Yukon Delta region.

By way of background, as you may know, I was with the U.S. Fish and Wildlife Service (USFWS) for 24 years. Three of those years were spent as the Alaska Regional Director of the USFWS from 1983 until 1987 and two years as the Associate Director in Washington, D.C. Since my retirement from government, I have served as the Director of

Science for the Conservation Fund, a publicly supported non-profit organization dedicated to advancing land and water conservation.

From studying the Calista land exchange, it appears that approximately 28,000 acres of fee or fee entitlement would be involved and 182,000 acres of subsurface estate. Given the nature of the lands in the Yukon Delta region, acquiring the subsurface estate as proposed will go a long way toward conserving the resources of the surface estate which contains critical fish and wildlife habitat in the northern sector of the Pacific Flyway. This is a wildlife refuge of tremendous resources clearly worthy of special conservation efforts.

The exchange would make productive and creative use of certain excess or surplus government property in exchange for lands and interests in lands to be conserved. This seems to be a sensible approach to assist conservation while at the same time providing a means to enable an Alaska Native Corporation to serve the most populous, undeveloped and the poorest Native region in the state. This is especially true considering the few dimes on the excess or surplus property dollar often associated with the sale of such lands in the Federal portfolio.

I know that it has been difficult bringing this exchange to a successful conclusion. I believe, as you apparently do, that the time has come to resolve this in an expeditious way that is fair and reasonable for the landowner and for the government. As in the past, when a process gets so bogged down for whatever reason, that is it unable to deal fairly and effectively with an issue, it is likely that the Congress will need to step in to help achieve an equitable resolution. It appears that is the case here.

Thank you again for your consideration of my views on this matter and I strongly urge you and your colleagues to take action soon to implement this land exchange.

Sincerely,

ROBERT E. PUTZ, PH.D.

NATIONAL AUDUBON SOCIETY,
Anchorage, AK, July 10, 1996.

Hon. DON YOUNG,
House Resources Committee,
Longworth House Office Building,
Washington, DC.

I'm writing on behalf of the National Audubon Society including its 2,200 Alaska members to support your legislative efforts to achieve a land exchange authorized in P.L. 102-172 for the benefit of the Calista Corporation on the Yukon Delta National Wildlife Refuge.

Audubon recognizes the Yukon Delta National Wildlife Refuge as among the premier waterfowl production areas on the continent. Its wetland habitats produce an annual fall flight of geese, ducks and swans that benefit thousands of hunters and other wildlife enthusiasts throughout the Pacific Flyway. Most importantly, these waterfowl along with millions of other migratory birds, fish and game animals constitute the mainstay of the region's subsistence economy.

After having worked with Calista and other partners for some 10 years on the Yukon-Kuskokwim Delta Goose Management Plan, we are convinced that the majority of their stockholders fully realize how essential the protection of fish and wildlife habitat through flyway-wide cooperation is to the future of their people and the wildlife that grace their lives. Through the goose management plan, and with Calista's cooperation, we are achieving great success in restoring seriously depleted goose populations to healthy levels. The proposed land exchange will further enhance these and other joint efforts to conserve refuge fish and wildlife.

We know that Calista has worked long and hard to negotiate a fair and equitable admin-

istrative land exchange with the Department of the Interior, but to no avail. Thus it appears congressional action is required to resolve the matter in a way that is most fair to Calista stockholders while providing greater protection to refuge resources of great state and national significance. We believe this can be accomplished by exchanging approximately 28,000 acres of surface and 182,000 acres of subsurface estate for certain excess or surplus government properties as P.L. 102-172 provides. With federal acquisition monies becoming increasingly scarce, this seems an innovative and practical approach to better conserve our nation's wildlife heritage while helping the Calista Corporation and its stockholders better secure their economic future. In other words, this should be a win-win solution for all concerned.

Thank you for your leadership on this important issue, Congressman Young, and for your consideration of our views.

Sincerely,

DAVID R. CLINE,
Senior Wildlife Counselor.

THE COASTAL COALITION,
Anchorage, AK, June 24, 1996.

Speaker NEWT GINGRICH,
Rayburn House Office Building,
Washington, DC.

DEAR SPEAKER GINGRICH: I am writing to you in strong support of the Calista land exchange in H.R. 2506 and urge that you act on this measure as quickly as possible. As a long time resident of Alaska and someone concerned with conservation and sustainable economic development, I cannot overstate to you how important this exchange is—both to the people and the resources of the Calista region.

The Calista land exchange involves outstanding fish and wildlife habitat located within the Yukon Delta National Wildlife Refuge (YDNWR). The Yukon Delta is one of the most unique and productive delta ecosystems in the world. And, it is a place of my heart.

Twenty years ago, I first experienced the Yukon Delta as my brother and I paddled by canoe over two thousand miles from the Great Slave Lake in the Northwest Territories of Canada across the old fur-trade route to the Yukon river, and then down to the Bering Sea. To us, the Yukon Delta had become an almost mythical destination. But, by the time we had reached the delta, we had become excited about "ending" our expedition, sponsored by Old Town Canoe Company, and we were eager to fly out. What we found there surprised and delighted both of us—a gentle and calm beauty and abundance neither of us had anticipated. This was, in our two-thousand mile journey, one of the most special places we had encountered. We decided to stay awhile.

Later, as the University of Alaska's marine extension agent for western Alaska for several years based in Kotzebue. I returned to the area many times attempting to help the local people develop a commercial economy. I came to realize then what I learned at the end of our canoe expedition—that the highest and best use of this delta was in preserving it intact, just as it was.

This is something that I think the local people came to realize long ago. Thousands of geese, ducks, loons, cranes, and swans, as well as seabirds and shorebirds migrate to this spectacular refuge every summer to breed and raise their young. The wetlands that exist on the Calista inholdings with the refuge provide critical habitat for many species of birds, fish, and mammals, making these areas an integral part of the ecosystem. Because wildlife do not often subscribe to politically constructed boundaries, any consideration for conserving this extraordinary ecosystem as a national wildlife

refuge must include the Calista lands. It is crucial that Calista lands be protected in a manner consistent with the management objectives of the refuge.

Unlike some Alaska Native corporations, it has been very difficult for the native people of the Calista region to translate their land endowment into financial capital that can be used to provide shareholder dividends and to develop real, long-term cash economies.

Thus, the exchange proposed in H.R. 2505 is somewhat sublime—surplus federal property for conservation. It could well become the U.S. version of the debt-for-nature exchanges now underway between international lending institutions and third-world countries to preserve dwindling habitat.

This exchange, if approved, will help to protect ancestral lands and wildlife habitat, and it will provide Calista the money with which to hopefully jumpstart profitable ventures elsewhere. I hope your action might also help alleviate other social problems in the region, such as the alarmingly high rates of suicide, infant mortality, hepatitis, meningitis, tuberculosis, alcoholism and unemployment.

This is a chance to do something right, that will be remembered as such in history. Seldom do we get such a chance. It is my sincere hope that this exchange will be the first of many, bringing conservation, social, cultural, and economic benefits to rural Alaska.

I urge that you take immediate action to ensure that this, and many other similar exchanges, are enacted.

Sincerely,

RICK STEINER.

DUCKS UNLIMITED INC.,
Washington, DC, June 21, 1996.

Hon. DON YOUNG,
Hon. GEORGE MILLER,
Committee on Resources, House of Representatives, Washington, DC.

DEAR MR. YOUNG and MR. MILLER: We are aware of a pending land trade between the federal government and Calista Native Corporation. The area that would be acquired by the U.S. Fish and Wildlife Service in this swap is land that serves as a very important waterfowl breeding area for the Pacific and Central flyways of North America. Substantial portions of the populations of several waterfowl and other bird species use the Yukon-Kuskokwim river delta for breeding and as staging and stopover habitat in their annual migratory cycle.

I understand that you have legislation under consideration that will facilitate a situation that allows the Fish and Wildlife Service to acquire these lands. Ducks Unlimited is in favor of assuring that these lands will be kept in a condition that will allow these birds maximum opportunity to complete their life cycle needs.

Sincerely,

SCOTT SUTHERLAND,
Director of Governmental Affairs.

HERNDON, VA,
September 18, 1995.

Hon. DON YOUNG, Chairman,
House Resources Committee, Washington, DC.

DEAR MR. CHAIRMAN: It has been brought to my attention that you are considering early actions to further the land exchange involving the Calista Regional Corporation (Calista) originally authorized by P.L. 102-172. As an individual with lengthy involvement in the implementation of the Alaska Native Claims Settlement Act, passage of the Alaska National Interest Lands Conservation Act, and numerous related Alaska issues including efforts to achieve completion of the Calista land exchange, I am writing this brief letter to express my support

for actions that will further a fair and equitable exchange that benefits both the shareholders of Calista and the conservation interests of the Federal Government. You may recall that for nearly eight years I was in charge of the Fish and Wildlife Service efforts to support the Administration's proposals under Section 17(d)(2) of the ANCSA. In that capacity, I was directly involved with many discussions in the Calista Region regarding long-term cooperation on land and resource issues between the government and the Native leaders in the region and villages. Since leaving that FWS position, I continued having periodic involvement in Alaska matters. I am thoroughly familiar with the exchange provision in law and the efforts made by Calista to reach accord with the Department of the Interior.

It has been my intent to write you a more detailed analysis of the difficulties that have afflicted the Calista exchange and to offer my support for your efforts to remove major impediments. The suddenness of the potential actions in your committee necessitate sending this shorter communication on the subject.

The Calista Corporation has invested substantial resources and time in their efforts to resolve concerns within the Department of the Interior and to move forward with an exchange that represents fairness to the corporation and reasonable benefits to the government. Unfortunately, even with those tangible and resolute overtures by Calista, the exchange process never achieved the level of meaningful two-way communications necessary to resolve serious differences in approach. Thus, although I had sincerely hoped that a beneficial and just reconciliation of differences would be negotiated, there has been no real progress in this matter for more than a year.

Mr. Chairman, even while we have had differences through the years, each of us has worked in his own way for self-determination, fairness and equity for the Native peoples of your great state. I believe that Calista has made an honorable offer of lands and interests in lands that would benefit the long-term conservation and management of the Yukon Delta National Wildlife Refuge. They have sought fairness in the terms of the exchange, but they have been unable to engage the Interior Department representatives in meaningful negotiations. It appears necessary and important for you to assist Calista toward a just exchange arrangement that also provides the refuge with benefits at a fair cost. I will strongly support actions to accomplish those worthy goals.

Sincerely yours,

WILLIAM C. REFFALT.

CALIFORNIA STATE DIVISION, THE
IZAAK WALTON LEAGUE OF AMERICA,

June 11, 1996.

Hon. DON YOUNG, Chairman,
House Resources Committee, Washington, DC.

DEAR MR. CHAIRMAN: The California Division of the Izaak Walton of America is a non-profit grassroots organization who's members are dedicated to outdoor recreation and the conservation and the preservation of our natural resources. On behalf of the 500 members statewide, I am writing to offer my support of legislation that would facilitate the Calista Land transfers authorized by Congress in 1991 and urge that this important measure be enacted expeditiously.

This measure would help conserve and protect critical wildlife habitat located within the Yukon Delta National Wildlife Refuge (YDNWR) in the Calista region of Alaska. Much of the terrain involved provides a low lying coastal habitat for waterfowl, fish and other wildlife typical of the Calista Region

and the YDNWR. The YDNWR was established in 1980, pursuant to the Alaska National Interest Lands Act, to protect nesting and breeding habitats for large numbers of migratory birds. Millions of geese, duck, loons, cranes, and swans, as well as shorebirds and seabirds migrate to the spectacular refuge every summer to breed and raise their young. The wetlands that exist on these in holdings are world class and serve as unparalleled habitat for many species of birds and other wildlife.

The specific wildlife that would be protected by this exchange is outstanding. For example, Pacific Bract, White Fronted Geese, Cackling Canada Geese and Emperor Geese nest on the parcels in the exchange. These birds are all "species of Concern" under the Migratory Bird Treaty Act. Their numbers have been declining precipitously. All waterfowl in the refuge, except for the Emperor Geese, use the Pacific flyway, wintering over at various locations along the U.S. West Coast and Mexico. In addition, most shorebirds nesting in the refuge also migrate along this flyway, wintering as far away as South America. Wintering over-grounds are where birds spend at least half of their lives. Securing the stability of these waterfowl populations' nesting and overwintering grounds must remain a priority if these populations are to thrive. The Calista land exchanges would greatly enhance this overall protection.

The Calista exchange involves both surface and sub-surface estates. Given the access and other rights of the subsurface estate owner to use and otherwise disturb the surface estate, in order to adequately protect the wildlife and associated habitats, it is imperative that the subsurface estate be protected as well. Consequently, acquisition of subsurface estates is crucial to carrying out the overall purposes of the refuge.

In closing, if adequately protected, the wilderness lands offered by the Calista inholdings will create a legacy of the world class natural resources in the Yukon Delta National Wildlife Refuge that can be shared by anglers, hunters, boaters, ecotourists, wildlife viewers and subsistence users alike.

Sincerely,

SAMUEL A. CARR JR.,
National Director.

Mr. YOUNG of Alaska. Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I urge strong support of this legislation, and I want to commend the gentleman from Alaska (Mr. YOUNG) for his long and difficult negotiations and successful negotiations to work out this legislation, and I want to recognize the contribution of Deborah Williams and many others at the Department of Interior who have worked hard to develop this consensus legislation.

Again, I thank the gentleman for all his efforts in developing this consensus legislation, and I urge the passage of this legislation.

Mr. Speaker, H.R. 2000 is the third generation of Alaska Native technical amendment bills. The fundamental premise is that these bills are developed on a consensus basis between the Alaska Federation of Natives, the Department of the Interior, the State of Alaska,

and other affected parties. The notion is to avoid controversy, leaving those battles to other bills and other forums.

And while there have been bumps in the road, the two previous Alaska Native technical amendment bills have become law and it appears that H.R. 2000 is now also acceptable to the Administration.

One of the more difficult issues in this bill involves the acquisition of lands owned by Calista corporation and Native village corporations which lie within the boundaries of the Yukon Delta National Wildlife Refuge. This acquisition was first authorized on a rider added by the Senate to the FY 1990 Defense Appropriations Act, and the process of reaching agreement between Calista and the Department of the Interior has been far from smooth.

But we now have before us an agreement which has been carefully negotiated and is acceptable to both parties. Calista and the villages will receive federal property worth \$39.4 million and in exchange the U.S. Fish and Wildlife Service will acquire refuge inholdings totaling over 200,000 acres of subsurface and over 46,000 acres of surface lands and easements. The Yukon Delta Wildlife Refuge provides critical habitat for migratory waterfowl and birds on the Pacific Flyway.

The value of the Native lands is established in this legislation at \$39.4 million, but does not reflect fair market value as established by Fish and Wildlife Service appraisals. Instead, in the judgment of the Department of the Interior, this is the price tag that is necessary to make this a willing seller transaction. The payments in excess of fair market value are considered to be a grant of federal assets which are needed to recapitalize Native corporations in the most economically deprived region of Alaska.

As noted in the description of current social conditions set forth in the land conveyance document, the state of living conditions for most of the Native people of the Calista region can be difficult for outsiders to comprehend. Most of the basics of life which the rest of America takes for granted—such as running water and flush toilets—barely exist within the region. Among many serious problems, this area has the highest infant mortality rate in the Nation. It is for these reasons that the Administration is willing to exchange more economically valuable assets for the Calista properties within the wildlife refuge boundaries.

Mr. Speaker, I want to especially recognize the contributions of Deborah Williams and many others at the Department of the Interior who have worked very hard to develop this consensus legislation. I thank the Chairman for bringing H.R. 2000 before the House and I urge support for the bill.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for speakers, and I yield back the balance of my time.

Mr. MILLER of California. I, too, Mr. Speaker, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 2000, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2000, as amended, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

TECHNICAL CORRECTIONS IN LAWS RELATING TO NATIVE AMERICANS

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4068) to make certain technical corrections in laws relating to Native Americans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4068

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION FOR 99-YEAR LEASES.

The second sentence of subsection (a) of the first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U.S.C. 415(a)), is amended—

(1) by inserting "lands held in trust for the Confederated Tribes of the Grand Ronde Community of Oregon," after "lands held in trust for the Cahuilla Band of Indians of California,"; and

(2) by inserting "the Cabazon Indian Reservation," after "the Navajo Reservation,".

SEC. 2. GRAND RONDE RESERVATION ACT.

Section 1(c) of the Act entitled "An Act to establish a reservation for the Confederated Tribes of the Grand Ronde Community of Oregon, and for other purposes", approved September 9, 1988 (25 U.S.C. 713f note; 102 Stat. 1594), is amended—

(1) by striking "10,120.68 acres of land" and inserting "10,311.60 acres of land"; and

(2) by striking all in the table after:

"4	7	30	Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$	240."
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and inserting the following:

"6	8	1	N $\frac{1}{2}$ SW $\frac{1}{4}$	29.59
6	8	12	W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	21.70
6	8	13	W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.31
6	7	7	E $\frac{1}{2}$ E $\frac{1}{2}$	57.60
6	7	8	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$	22.46
6	7	17	NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.84
6	7	18	E $\frac{1}{2}$ NE $\frac{1}{4}$	43.42
Total				10,311.60".

SEC. 3. NAVAJO-HOPI LAND DISPUTE SETTLEMENT ACT.

Section 12 of the Navajo-Hopi Land Dispute Settlement Act of 1996 (110 Stat. 3653) is amended—

(1) in subsection (a)(1)(C), by inserting "of surface water" after "on such lands"; and

(2) in subsection (b), by striking "subsection (a)(3)" each place it appears and inserting "subsection (a)(1)(C)".

SEC. 4. TREATMENT OF CERTAIN DEMONSTRATION PROJECTS.

(a) IN GENERAL.—The Secretary of the Interior shall take such action as may be necessary to extend the terms of the projects referred to in section 512 of the Indian Health Care Improvement Act (25 U.S.C. 1660b) so that the term of each such project expires on October 1, 2002.

(b) AMENDMENT TO INDIAN HEALTH CARE IMPROVEMENT ACT.—Section 512 of the Indian Health Care Improvement Act (25 U.S.C. 1660b) is amended by adding at the end the following:

"(c) In addition to the amounts made available under section 514 to carry out this section through fiscal year 2000, there are authorized to be appropriated such sums as may be necessary to carry out this section for each of fiscal years 2001 and 2002."

SEC. 5. CONFEDERATED TRIBES OF COOS, LOWER UMPQUA, AND SIUSLAW INDIANS RESERVATION ACT.

Section 7(b) of the Coos, Lower Umpqua, and Siuslaw Restoration Act (25 U.S.C. 714e(b)) is amended by adding at the end the following:

"(4) In Lane County, Oregon, a parcel described as beginning at the common corner to sections 23, 24, 25, and 26 township 18 south, range 12 west, Willamette Meridian; then west 25 links; then north 2 chains and 50 links; then east 25 links to a point on the section line between sections 23 and 24; then south 2 chains and 50 links to the place of origin, and containing .062 of an acre, more or less, situated and lying in section 23, township 18 south, range 12 west, of Willamette Meridian."

SEC. 6. HOOPA VALLEY RESERVATION BOUNDARY ADJUSTMENT.

Section 2(b) of the Hoopa Valley Reservation South Boundary Adjustment Act (25 U.S.C. 1300i-1 note) is amended—

(1) by striking "north 72 degrees 30 minutes east" and inserting "north 73 degrees 50 minutes east"; and

(2) by striking "south 15 degrees 59 minutes east" and inserting "south 14 degrees 36 minutes east".

SEC. 7. CLARIFICATION OF SERVICE AREA FOR CONFEDERATED TRIBES OF SILETZ INDIANS OF OREGON.

Section 2 of the Act entitled "An Act to establish a reservation for the Confederated Tribes of Siletz Indians of Oregon", approved September 4, 1980 (25 U.S.C. 711e note; 94 Stat. 1073), is amended by adding at the end the following:

"(c) Subject to the express limitations under sections 4 and 5, for purposes of determining eligibility for Federal assistance programs, the service area of the Confederated Tribes of the Siletz Indians of Oregon shall include Benton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, and Yamhill Counties in Oregon."

SEC. 8. LOWER SIOUX INDIAN COMMUNITY.

Notwithstanding any other provision of law, the Lower Sioux Indian Community in Minnesota is hereby authorized to sell, convey, and warrant to a buyer, without further approval of the United States, all the Community's interest in the following real property located in Redwood County, Minnesota:

A tract of land located in the Northeast Quarter (NE $\frac{1}{4}$) of Section Five (5), Township One Hundred Twelve (112) North, Range Thirty-five (35) West, County of Redwood and State of Minnesota, described as follows: Commencing at the north quarter corner of

Section 5 in Township 112 North, Range 35 West of the 5th Principal Meridian; thence east a distance of 678 feet; thence south a distance of 650 feet; thence South 45 degrees West a distance of 367.7 feet; thence west a distance of 418 feet to a point situated on the north and south quarter line of said Section 5; thence north a distance of 910 feet to the place of beginning, subject to highway easements of record, and containing 13.38 acres, more or less.

Nothing in this section is intended to authorize the Lower Sioux Indian Community in Minnesota to sell any of its lands that are held in trust by the United States.

SEC. 9. FEDERAL TRUST EMBLEMMENT OF TRIBAL LANDS.

The Cow Creek Band of Umpqua Tribe of Indians Recognition Act (25 U.S.C. 712 et seq.) is amended by adding at the end the following new section:

"SEC. 7. CERTAIN PROPERTY TAKEN INTO TRUST.

"The Secretary of the Interior shall accept title to 2000 acres of real property and may accept title to any additional number of acres of real property located in Umpqua River watershed upstream from Scottsburg, Oregon, or the northern slope of the Rogue River watershed upstream from Agness, Oregon, if such real property is conveyed or otherwise transferred to the United States by or on behalf of the Tribe. The Secretary shall take into trust for the benefit of the Tribe all real property conveyed or otherwise transferred to the United States pursuant to this section. Real property taken into trust pursuant to this section shall become part of the Tribe's reservation. Real property taken into trust pursuant to this section shall not be considered to have been taken into trust for gaming (as that term is used in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)."

SEC. 10. AMENDMENTS TO THE JICARILLA APACHE TRIBE WATER RIGHTS SETTLEMENT ACT.

(a) Section 8(e)(3) of the Jicarilla Apache Tribe Water Rights Settlement Act, as amended by Public Law 104-261, is further amended by striking "December 31, 1998" and inserting in lieu thereof "December 31, 2000".

(b) The Jicarilla Apache Tribe Water Rights Settlement Act (Public Law 102-441) is amended by adding at the end the following new section:

"SEC. 12. APPROVAL OF STIPULATION.

"Notwithstanding any other provision of Federal law, including section 2116 of the Revised Statutes (25 U.S.C. 177), the Stipulation and Settlement Agreement, dated October 7, 1997, between the Jicarilla Apache Tribe and other parties to State of New Mexico v. Aragon, No. CIV-7941 JC, U.S. Dist. Ct., D.N.M., approved by the United States District Court in that proceeding, is hereby approved."

SEC. 11. SAN LUIS REY INDIAN WATER RIGHTS SETTLEMENT ACT.

Section 105(c) of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100-675; 102 Stat. 4000), as amended by section 117 of the Department of the Interior and Related Agencies Appropriations Act, 1992 (Public Law 102-154; 105 Stat. 1012-1013), is amended—

(1) by inserting "(1)" before "Until"; and

(2) by adding at the end the following new paragraph:

"(2) Notwithstanding paragraph (1), prior to completion of the final settlement and as soon as feasible, the Secretary is authorized and directed to disburse a total of \$8,000,000, of which \$1,600,000 will go to each of the Bands, from the interest income which has accrued to the Fund. The disbursed funds shall be invested or used for economic development of the Bands, the Bands' reservation land, and their members and may not be